

**To:** Rao, Kate[Rao.kate@epa.gov]; Montgomery, Michael[Montgomery.Michael@epa.gov]; Albright, David[Albright.David@epa.gov]; Diamond, Jane[Diamond.Jane@epa.gov]; Zito, Kelly[ZITO.KELLY@EPA.GOV]; Keener, Bill[Keener.Bill@epa.gov]; Dermer, Michele[Dermer.Michele@epa.gov]  
**Cc:** Maier, Brent[Maier.Brent@epa.gov]; Mogharabi, Nahal[MOGHARABI.NAHAL@EPA.GOV]  
**From:** Skadowski, Suzanne  
**Sent:** Wed 2/4/2015 7:15:25 PM  
**Subject:** FW: Rep. McNerney inquiry re: Clean water protection, House Energy and Commerce Committee 2/5 hearing on drinking water legislation

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**Suzanne Skadowski**

Public Affairs Specialist

U.S. Environmental Protection Agency | San Francisco

**D:** 415-972-3165 | **C:** 415-265-2863 | **E:** skadowski.suzanne@epa.gov

**From:** Skadowski, Suzanne  
**Sent:** Wednesday, February 04, 2015 11:12 AM  
**To:** Levine, Carolyn; Davis, CatherineM  
**Subject:** RE: Rep. McNerney inquiry re: Clean water protection, House Energy and Commerce Committee 2/5 hearing on drinking water legislation

Carolyn and Cathy,

As requested, below is a summary of EPA Region 9's review of the state of California's Underground Injection Control (UIC) Class II Program. And attached is a Dec. 22 EPA letter to the state requesting submittal by Feb. 6 a plan to achieve compliance with the Safe Drinking Water Act (SDWA) -- as was mentioned in the SF Chronicle and Think Progress articles this week.

On July 17 and December 22, 2014, EPA Region 9 sent letters to California's Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) and Water Resources Control Board (the State) highlighting concerns, providing direction and requesting information about DOGGR's implementation of its underground injection control program for oil and gas-related (Class II) wells. The Region audited DOGGR's Class II UIC primacy program in 2011 and identified substantial implementation deficiencies and, in 2012, conducted a review of aquifer exemptions that raised questions about the alignment of injection wells with EPA-approved exemption boundaries. EPA's letters responded to DOGGR's lack of progress in addressing these issues over the prior two years. Further, in the first half of 2014, the State identified some injection wells that the State had authorized to inject Class II fluids into aquifers with less than 3,000 ppm Total Dissolved Solids, that EPA had not exempted, and the State subsequently shut down these injection wells. EPA has been meeting regularly with senior officials with the Department of Conservation, Division of Oil, Gas, and Geothermal Resources, the State Water Resources

Control Board and the Central Valley Regional Water Board to discuss the State's ongoing assessment of drinking water sources that may be impacted by improper injection, documentation pertaining to aquifer exemptions in California, and specific data about any Class II injection wells that may be injecting into non-exempt aquifers. EPA's December 22 letter directs the State to submit a Program Revision Plan by February 6, 2015 providing for full compliance with the SDWA by February 2017.

Please let me know if you have questions or need any more information from us. Thank you!

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**Suzanne Skadowski**

Public Affairs Specialist

U.S. Environmental Protection Agency | San Francisco

D: 415-972-3165 | C: 415-265-2863 | E: [skadowski.suzanne@epa.gov](mailto:skadowski.suzanne@epa.gov)

**From:** Levine, Carolyn

**Sent:** Wednesday, February 04, 2015 8:57 AM

**To:** Skadowski, Suzanne

**Cc:** Maier, Brent; Davis, CatherineM

**Subject:** Rep. McNerney inquiry re: Clean water protection

Hi Suzanne,

In Brent's absence, I am passing on an inquiry from Congressman Jerry McNerney's staff on the House Energy and Commerce Committee regarding this article:

<http://thinkprogress.org/climate/2015/02/02/3618295/california-allows-oil-companies-to-pollute-drinking-water-sources/>

The Committee is holding a hearing tomorrow on drinking water legislation, so the Congressman's staff is asking for additional clarification to the requirement referenced in the article for California to provide EPA with a plan by February 6.

Can you please let Cathy Davis and I know if the region has any additional information that we can provide to address this article or the alleged ww injection into drinking water? We are trying to prep our OW witness for the hearing as well as respond to the Congressman's office.

Thank you!

Carolyn

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*Carolyn Levine*

*Office of Congressional and Intergovernmental Relations*

*U.S. EPA*

*(202) 564-1859*

*[levine.carolyn@epa.gov](mailto:levine.carolyn@epa.gov)*